

***IN THE DISTRICT COURT OF THE UNITED STATES***  
***for the Western District of New York***

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**OCTOBER 2016 GRAND JURY**  
**(Impaneled October 28, 2016)**

**THE UNITED STATES OF AMERICA**

**INDICTMENT**

**-VS-**

**Violations:**

**SHANE AURAND**

Title 18, United States Code,  
Sections 2251(a), 2252A(a)(2)(A) and  
2252A(a)(5)(B)  
(3 Counts and Forfeiture Allegation)

**COUNT 1**

**(Production of Child Pornography)**

**The Grand Jury Charges That:**

Between on or about December 31, 2016, the exact date being unknown to the Grand Jury, and on or about March 13, 2017, in the Western District of New York, and elsewhere, the defendant, **SHANE AURAND**, did knowingly employ, use, persuade, entice, and coerce a minor, that is, Victim 1, a person known to the Grand Jury, who was under the age of 18 years, to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2) for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and the visual depictions were transported and transmitted using any means and facility of interstate and foreign commerce and the visual depictions were transported and transmitted in and affecting interstate and foreign commerce.

**All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).**

**COUNT 2**

**The Grand Jury Further Charges That:**

**(Distribution of Child Pornography)**

On or about March 13, 2017, in the Western District of New York, the defendant, **SHANE AURAND**, did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, 5 image files, that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and that had been shipped and transported using any means and facility of interstate and foreign commerce.

**All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).**

**COUNT 3**

**(Possession of Child Pornography)**

**The Grand Jury Further Charges That:**

On or about March 14, 2017, in the Western District of New York, the defendant, **SHANE AURAND**, did knowingly possess material, that is, one LG cellular telephone, model no. LGL62VL, bearing serial number 801A802D, that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), that involved a prepubescent minor and a minor who had not attained 12 years of age, that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer; and that had been produced using materials that had been mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

**All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).**

**FORFEITURE ALLEGATION**

**The Grand Jury Alleges That:**

Upon conviction of any of the offenses alleged in this Indictment, the defendant, **SHANE AURAND**, shall forfeit to the United States any matter which contains any such visual depiction of child pornography, which was produced, transported, mailed, shipped, or received and/or any and all property, real and personal, used or intended to be used to commit or to promote the commission of such offense, and all property traceable to such property, including but not limited to the following:

- a. One (1) LG cellphone, model no. LGL62VL, bearing electronic serial no. 801A802D.

**All pursuant to Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3).**

DATED: Buffalo, New York, November 9, 2017.

JAMES P. KENNEDY, JR.  
Acting United States Attorney

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A TRUE BILL:

S/FOREPERSON